GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Department - A.P. State Disaster Response and Fire Services – Fire Prevention and Fire Safety Measures published in the Andhra Pradesh Gazette by the then Director General of Fire Services – Committee Constituted – Report submitted - Annulment of Gazettes based on the recommendations of the Committee – Orders - Issued.

HOME (PRISONS & FIRE) DEPARTMENT

G.O.Ms.No.44 **Dated:12-03-2024**

Read the following:-

1. Gazette Notification W.No.2, G.560 of D.G., State Disaster Response and Fire Services, Andhra Pradesh, Dated:18-01-2022.
2. Gazette Notification W.No.16, G.85 in letter C.No.20/DGFS/ Camp/2022, dated:21.04.2022 of D.G., State Disaster Response and Fire Services, Andhra Pradesh, Dated:21.04.2022.
3. Gazette Notification W.No.23, G.424 in letter C.No.28/DGFS/Camp/ 2022, dated:09.06.2022 of D.G., State Disaster Response and Fire Services, Andhra Pradesh, Dated:10.06.2022.
4. Gazette Notification W.No.24, G.477 in letter C.No.31/DGFS/Camp/ 2022, dated:16.06.2022 of D.G., State Disaster Response and Fire Services, Andhra Pradesh, Dated:17.06.2022.
5. Gazette Notification W.No.39, G.897 in letter C.No.52/DGFS/Camp/ 2022, dated:30.09.2022 of D.G., State Disaster Response and Fire Services, Andhra Pradesh, Dated:30.09.2022.
6. Gazette Notification W.No.41, G.958 in D.O.letter No.58/DGFS/Camp/ 2022, dated:12.10.2022 of D.G., State Disaster Response and Fire Services, Andhra Pradesh, Dated:13.10.2022.
7. From the Director General, Disaster Response & Fire Services, AP, Lr.Rc.No.01/NOC/LC/Gazette/2023, Dated: 17.04.2023.
8. Govt. Memo No.2062952/P&F/A2/2023, Home (Prisons & Fire) Dept.,Dated:08.06.2023.
9. Committee Report and Recommendations, Dt: 22.11.2023.
10. Govt. Memo No.2062952/P&F/A2/2023, Home (Prisons & Fire) Dept.,Dated: 08.12.2023.
11. From the Director General, State Disaster Response and Fire Services, Andhra Pradesh, letter No. Rc.No.01/NOC/LC/Gazette/2023, Dt:07.12.2023.

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ORDER:

In the reference 7th read above, the Director General, State Disaster Response & Fire Services, Andhra Pradesh has stated that since the AP Fire Services Act, 1999 came into force, Fire Services Department has been issuing fire NOCs to different occupancies mentioned in Section-13 of A.P. Fire Services Act, 1999 duly prescribing the fire safety measures as stipulated in the National Building Code of India, as amended from time to time.

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2. The Director General, State Disaster Response & Fire Services, Andhra Pradesh has further stated that from the year 2020 to 2022 the then Director General State Disaster Response & Fire Services, Andhra Pradesh, issued Fire NOCs by suggesting decentralized fire safety measures and 2HP, 5HP, 10HP plunger pumps as an alternative to National Building Code of India fire fighting systems and issued Notifications in the Andhra Pradesh Gazette from 1st to 6th read above.

3. The Director General, State Disaster Response & Fire Services, Andhra Pradesh, has further stated that the Gazette Notifications issued from 1st to 6th read above that prescribes the fire safety measures other than NBC norms which are causing confusion amongst the stakeholders, whether to install decentralized plunger pumps like 2HP, 5HP, 10HP (or) the pumps and other fire safety systems prescribed by NBC such as 1620 LPM, 2280 LPM & 2850 LPM for fire fighting purpose.

4. The Director General, State Disaster Response & Fire Services, Andhra Pradesh, has further stated that the Hon'ble Supreme Court in Avinash Mehrota Vs Union of India in W.P.No.483 of 2004 has dealt with an important public interest litigation relating to a fire swept wherein the Hon'ble Supreme Court after examining all the relevant factors with reference to the factual and legal aspects was pleased to issue certain direction so as to ensure the building safety as below:

> "Before granting recognition or affiliation, the concerned State Government and Union Territories are directed to ensure that the buildings are safe and secure from every angle and they are constructed according to the safety norms incorporated in the National Building Code of India"

5. The Director General, State Disaster Response & Fire Services, Andhra Pradesh has therefore requested the Government to annul all the above 6 Gazette notifications as they are contrary to NBC norms and AP Fire Services Act, 1999.

6. In the reference 8th read above, Government had constituted a Committee to study the issues of Fire Services Department whether the Gazette Notifications issued from 1st to 6th read above are in inconformity with the AP Fire Services Act, 1999 and NBC Code and to study whether the equipment mentioned in Gazette Notifications, conform the standards of NBC Code for fire safety.

7. In the reference 9th read above, the Committee after detailed study of Gazettes, Act, Rules and numerous meetings with various stake holders across the state and country, submitted following recommendations on each Gazette Notification issued by the then Director General, State Disaster Response and Fire Services, Andhra Pradesh.

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Sl.No.	Gazette No.	Subject	Recommendation of the Committee
1	560	I. Notification to include Plunger Pumps, Fire Engine Pumps etc., to Design "De-Centralised Fire Safety" Systems – Reg. II. Notification of Alternatives to Water Sprinklers in Design of Fire Safety Systems – Reg.	The provisions as laid in A.P. Fire Service Act' 1999 & A.P. Fire & Emergency Operations and Levy of Fee Rules' 2006 shall be strictly followed i.e. to follow NBC Guidelines. However, to avoid any practical difficulties, revised fire safety measures may be issued by State Government as per recommendation from the Fire Department like in Uttar Pradesh, Mumbai & Delhi.
2	85	Notification on setbacks & open spaces	With regard to Setbacks & Open Spaces, the local authorities i.e., Municipal Corporations, Panchayats, IALA, SEZ and APIIC shall ensure the setbacks as per their local building rules. To achieve this, all building approval applications shall be routed through MA&UD Department instead of directly received by Fire department.
3	424	Notification for Hospitals in Andhra Pradesh	With regard to Fire Safety in all types of buildings i.e. Residential, Educational, Hospitals, Commercial, Business, Assembly and Industries, the provisions as laid in A.P. Fire Service Act' 1999 and A.P. Fire & Emergency Operations and Levy of Fee Rules' 2006 shall be strictly followed i.e. to follow NBC Guidelines. However, to avoid any practical difficulties, revised fire safety measures may be issued by State Government as per recommendation from the fire dept like in Uttar Pradesh, Mumbai & Delhi.
4	477	Notification for Educational Institutions	
5	958	Notification for Commercial /Business/ Assembly/ High Rise Buildings	
6	897	Notification for Industries	Separate BIS codes for each type of industrial buildings as authorized by the A.P. Fire Service Act'1999, therefore the provisions as laid in the Act shall be followed.

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8. After careful examination, Government have accepted the recommendations of the Committee and a copy of the Report was communicated to the Director General, State Disaster Response and Fire Services, Andhra Pradesh, with a request to furnish necessary proposals as per the recommendations of the Committee vide reference 10th read above.

9. In the reference 11th read above, the Director General, State Disaster Response and Fire Services, Andhra Pradesh, has stated that the Committee opined that the Gazette Notifications issued in 2022 are mainly focused on plunger pumps without any justification and these pumps are no where used in India for fire fighting purpose.

10. The Director General, State Disaster Response & Fire Services, Andhra Pradesh, has therefore requested the Government to annul all the six (6) Gazette Notifications and enable the Fire Services Department to follow the fire safety measures as per the guidelines of NBC as stipulated under Section-13(2) AP Fire Services Act, 1999.

11. Government after careful examination of the matter, hereby annul the Gazette Notifications issued from references 1st to 6th read above and directed to follow following recommendations made by the Committee:

(i) With regard to Fire Safety Measures, the provisions as laid in A.P. Fire Services Act, 1999 & A.P. Fire & Emergency Operations and Levy of Fee Rules' 2006 shall be strictly followed i.e. to follow National Building Code of India Guidelines. However, if any practical difficulties would occur while implementation, the State Government is empowered to issue revised fire safety measures based on the recommendations from the Fire Department.

(ii) With regard to Setbacks & Open Spaces, the local authorities i.e., Municipal Corporations, Panchayats, IALA, SEZ and APIIC shall ensure that the setbacks shall be as per local building rules as amended from time to time.

12. The Director General, State Disaster Response and Fire Services, Andhra Pradesh, Vijayawada, shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

HARISH KUMAR GUPTA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, State Disaster Response and Fire Services, A.P., Vijayawada.

Copy to:
The Law Department, A.P. Secretariat.
OSD to Secretary to Hon'ble CM
OSD to Hon'ble M(Home)
OSD to Chief Secretary to Government.
P.S. to Principal Secretary, Home Department.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER